

**Notice of Allowability**

Application No.

09/740,088

Examiner

Eron J Sorrell

Applicant(s)

ULLMANN, LORIN EVAN

Art Unit

2182

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment/remarks filed 7/28/04.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 18 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20041014.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Fritz M. Fleming*  
FRITZ FLEMING  
PRIMARY EXAMINER  
GROUP 2100

Art Unit: 2182

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anne V. Dougherty (Reg. No. 30,374) on October 14, 2004.

The application has been amended as follows:

***In the Specification***

At page 2:

line 11: replace "Serial No. \_\_\_\_\_, filed \_\_\_\_\_," with "Serial No. 09/738,307, filed December 15, 2000,".

At page 6:

lines 18-19: replace "Serial No. \_\_\_\_\_, filed \_\_\_\_\_," with "Serial No. 09/738,307, filed December 15, 2000,".

***In The Claims***

At claim 1:

Art Unit: 2182

line 18: replace "wherein said logical scope includes only" with "wherein said logical scope is defined by".

At claim 2:

line 5: replace "obtaining the logical scope" with "obtaining a logical scope".

At claim 10:

line 21: replace ""wherein said logical scope includes only" with "wherein said logical scope is defined by".

At claim 11:

line 8: replace "obtaining the logical scope" with "obtaining a logical scope".

### ***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance: Regarding amended independent claims 1 and 10, the Examiner has found the applicant's arguments persuasive. Specifically, the prior art of record fails to teach or fairly suggest the limitation of "defining a logical scope for an application based on a logical network and a mapped physical network," as argued by the applicant at lines 6-17 of page 16 of

Art Unit: 2182

applicant's remarks and supported by page 18 of the specification. Regarding independent claims 2 and 11, the Examiner found the applicant's arguments persuasive. Specifically, the prior art of record fails to teach or fairly suggest the limitations of "obtaining a logical scope for an application, and for each physical entity found within the logical scope for the application, identifying the physical scope for the physical entity," as argued by applicant at paragraph bridging pages 20 and 21 of applicant's remarks. It is to be noted that applicant has provided an exclusive definition for "a logical scope" for an application at page 18 lines 4-6 which reads a "for each application, the logical scope is defined at step 507, first based on the logical network, then based on the physical network." Gooderum teaches a logical scope for an application based only on the physical network and not the sequential steps of defining the logical scope first based on the logical network and then based on the physical network. Regarding independent claim 8, the Examiner found the applicant's arguments persuasive. Specifically, the prior art of record fails to teach "a storage location for storing at least an application scope and a Scope manager for administering the scope for each of at least one IP driver and the at least one application," since there is no teaching of a defined or

Art Unit: 2182

otherwise obtained logical scope for an application as argued at the paragraph bridging pages 22 and 23 of applicant's remarks. Again, the exclusive definition of logical scope for an application as shown above is being applied.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached at 571 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2182

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EJS

October 14, 2004

  
FRITZ FLEMING  
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